



**JACK O'CONNELL**  
State Superintendent  
of Public Instruction

# *The No Child Left Behind Act & Private Schools*

## *Consultation Practices That Work*

**April 2007**

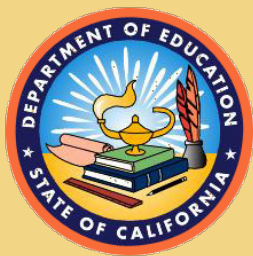


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# Supporting Consultation

Elementary Education Office provides:

- ☐ Technical assistance with NCLB requirements involving **private schools**
- ☐ Online links to current California and federal guidance and resources
- ☐ Sample practices to improve consultation and enhance programs/services to **private school children and teachers**



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# Links to Guidance Documents Covering Consultation and Federal Title Programs

California Guidance covering all federal titles:

<http://www.cde.ca.gov/sp/ps/cd/guidance.asp>

Federal Office of Non-Public Education  
Web link for all NCLB Guidance (list of links to each title):

<http://www.ed.gov/about/offices/list/oii/nonpublic/nclbinfo.html>



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# Links to Guidance Documents Covering Consultation and Federal Title Programs (cont)

Federal Title IX Guidance covering NCLB/private schools “uniform provisions” and all titles:

<http://www.ed.gov/policy/elsec/guid/equitableserguidance.doc>

Federal Title IIA Guidance covering professional development:

<http://www.ed.gov/programs/teacherqual/guidance.doc>



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# Consultation Between LEA/District and Eligible Private Schools

## Desired Consultation Outcomes:

1. Collegial communications - LEA collaborates with eligible **private schools**
2. Informed **private schools** - LEA procedures, funding formulae and deadlines seen as logical, fair
3. Transparent federal systems – **private schools** understand timing, spending controls, and equitability mandate for federal funding



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# Consultation Between LEA/District and Eligible Private Schools

## Desired Outcomes (cont.)

4. **Timely consultation cycle** – LEA initiates contacts early enough to allow **private school services** to begin when public school services do
5. **Meaningful consultation** – **Private schools** experience thorough process and collaborative decision-making
6. **'Equitable participation' assured** – Services and benefits to eligible **private school students** equitable to those in the public schools



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## Outcome #1

# Collegial Communications

Guiding **private schools** through  
NCLB decisions:

- ☐ How the **children's needs** will be identified
- ☐ What programs or services will be offered
- ☐ How and where the programs/services will be provided





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# Outcome #1 (cont.)

## Collegial Communications

Guiding **private schools** through program design and NCLB:

- ☐ Who will provide the services
- ☐ How program evaluation occurs; how results are applied
- ☐ How equitable services are assured

See *Title IX Guidance* question # D-7 (slide #4)





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## Outcome #2

# Private Schools Understand NCLB; School District Explains Its Systems

- ☐ Federal programs and district's NCLB process
  - Purpose of each title made clear to any **eligible private school**
- ☐ District fiscal deadlines: No surprises
- ☐ Steps used in third party contract process
- ☐ Reliable sources for federal funding news
- ☐ Access to common NCLB guidance (See slides #3 and #4)



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## Outcome #2 (cont.)

# Private Schools Understand What Factors Impact Level of Services

LEA explains calculation of costs to administer NCLB for **private schools**:

- ☐ Administrative costs reduce per student share for LEA and for private schools
- ☐ LEAs can charge up to **indirect cost rate** of the LEA's entitlement "off the top" for administrative costs
- ☐ LEAs should explain any transfer of federal funds
- ☐ "Poverty" as a factor: See *Title IX Guidance, Part F*



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## Outcome #2 (cont.)

# Private Schools Understand How NCLB Works for Their Students

LEA explains general approach to calculate equitable level of services for Titles IIa, IV, V

- ☐ Use **private schools and enrollments** from *Con App I*, page 4
- ☐ CBEDS + **private schools' enrollments** = divisor
- ☐ LEA's entitlement (minus admin. costs) divided by this total enrollment = per pupil share for LEA and for **private schools**
- ☐ Per pupil share X each private school enrollment = that **private school's** share of Titles IIa, IV and V



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## Outcome #2 (cont.)

# Private Schools Understand How NCLB Works for Their Students (cont.)

LEA explains calculation of equitable **private school** per student share for Titles I and III

❑ "...LEAs should consult ...on the method used..."

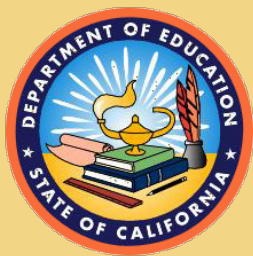
❑ Method of identifying eligible students is key. See CDE Title I Guidance:

<http://www.cde.ca.gov/sp/sw/t1/privateschoolsvs.asp>

*CDE Resource: Jyoti Singh – 916-319-0372*

❑ For identification of Title III LEP students, see CDE Title III FAQs: Private Schools at:

<http://www.cde.ca.gov/sp/el/t3/title3faq.asp>



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## Outcome #3

# Federal Funding, Carryover: Guiding Private Schools

- ☐ Federal guidance works as a general guide for carryover. Consult CDE program guidance and program specialists for up-to-date requirements and district carryover status.
- ☐ See *Title IX Guidance*, questions F-8, F-9
- ☐ CDE's most current federal funding information available at:  
<http://www.cde.ca.gov/fq/aa/ca/consolapp.asp>
- ☐ Timely communications about funding reductions, adjusted spending deadlines





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## Outcome #3 (cont.)

# Funding, Carryover Levels

Title IIA only: “Hold harmless” provision protects a minimum level of programs/service for **private schools**, based on LEA 2001-02 use of federal funds for professional development (Dollar figure set by CDE)

CDE Resource: Jackie Rose (916-319-0247)

Carryover: LEA must spend 80 percent of Title II funds during first 12 months; **private school share** tied to LEA’s spending (see CDE resource, above)



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## Outcome #4

# Timely Consultation

Practices that have worked for LEAs with timely consultation in place:

- ☐ “...allow for maximum participation of **private schools** ...at the start of each school year...” (*Title IX, Part E*)
- ☐ Allow time for **groups of private schools** to follow their own collaborative decision-making process
- ☐ Meet with **private schools** in March/April so services begin when school starts in August





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# Outcome #4 (cont.)

## Allowing Maximum Participation

More consultation practices that work:

☐ NCLB process covers two years: 16 to 18 months

**Planning Year** - Months 1 to 6,  
Jan. to June, are for prep and planning

**followed by**

**Program Year** - Months 7 to 18,  
July to June, are for services/programs



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## Outcome #4 (cont.)

# Allow Time for Private Schools to Develop Responsive Consultation Procedures

With ample notice and consistent communications, **eligible private schools** will understand that:

- ☐ Consultation cycles overlap: **Returning private schools** should always be evaluating *and* planning.
- ☐ Each winter/spring, LEAs start contacts when **private schools** begin to plan next year's programs; and
- ☐ In same meetings, **private schools** begin program evaluation on current programs/services to identify needs for next school year



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# Outcome #4 (cont.)

## Timely Consultation Strategies

A Sample Agenda  
March 2007 NCLB Consultation

- ☐ Welcome to new and returning **private schools**
  1. Explain/review NCLB processes and programs, titles
  2. Distribute 'Intent to Participate' form
  3. Present federal funding estimates
  4. Agree to a meeting schedule, deadlines
  
- ☐ Budget practices: District forms, deadlines
  1. Introduce Business Office personnel
  2. Set realistic encumbrance deadlines, ample warning for **private schools** to implement plans



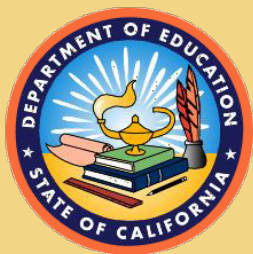
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## Outcome #4

# Giving Private Schools Time to Plan (cont.)

## Sample March 2007 NCLB Agenda (cont.)

- ☐ Active 2006-07 NCLB program updates
  1. Review current **private school** programs
- ☐ Final cost decisions for any 2007 **private school** summer programs
- ☐ Plans for 2007-08 NCLB programs
  1. Deadline for **private school** needs assessments



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# Outcome #4

## Providing Private Schools with Timely Information (cont.)

### Sample March 2007 NCLB Agenda (cont.)

- ☐ Review FINAL federal funding figures for 2006
  - 1. Review federal funding PROJECTIONS for 2007
- ☐ Initiate **private school** program evaluation, needs assessment as basis for next year's program
- ☐ Distribute any revised federal *Guidance*
- ☐ Schedule individual school consultations as needed





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## Outcome #5

# Meaningful Consultation

LEAs...

- ☐ Establish a collaborative process with **private schools** located within the district
- ☐ Allow time for **private schools'** needs assessment, program design, and evaluation of results
- ☐ Set mutually agreeable final program cost deadlines
- ☐ Assure balance of LEA control and meeting **private school** needs, i.e. third party contracts
- ☐ During planning phase, inform **private school** of grant application deadlines, i.e. Titles IIB, IVB



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## Outcome #5 (cont.)

# Meaningful Consultation

For consultation to work, **private schools** should be...

- ☐ Contacted annually, if eligible
  - Affidavit, non-profit status required
- ☐ Participants in a decision-making *process*, not recipients of a single offer of service
- ☐ Guided to resources that will meet their students' needs and help staff build identified professional skills





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## Outcome #6

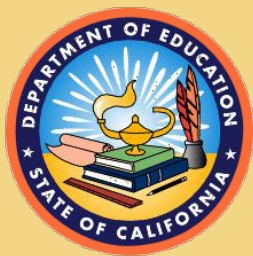
# What is Equitable Participation?

Federal law requires that access to programs and services for private school students and staff is on a par with those received by public schools

Federal guidance says:

‘...ESEA requires that expenditures for services to **private school students, teachers, and other... personnel** be equal to the expenditures for the public school program, taking into account the needs of the children to be served...’

*(Title IX, Part F)*



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## Outcome #6 (cont.)

# What's Equitable?

☐ **Private school needs** drive program design just as public schools plan using assessments

- Participation in LEA's programs, or 'single offer', sometimes fits for both public and **private school staff**

- Third party providers may be needed to meet **private school needs**

☐ LEA controls expenditures; guides **private school plan** development and program/service design

☐ **Private school** wants access to quality resources



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# Services, not Funds

A portion of funds in federal Titles I–V is generated by private school enrollments. These funds provide programs and services to **private school students and eligible staff**.

- **Private schools** do **NOT** receive funds.
- But **private school teachers** **CAN** be reimbursed for planned course work.